

Item # _____

Prepared by: Gloria Kelly
Real Estate Services

Commissioner _____

Approved by: Lisa Kelly
County Attorney

A RESOLUTION APPROVING THE CONVEYANCE OF AN UNIMPROVED PARCEL OF COUNTY OWNED DELINQUENT TAX PROPERTY, 6,181 SQUARE FEET (0.142 ACRES), MORE OR LESS, IN SIZE, LOCATED AT 2245 HOWELL AVENUE, TO A NEW BEGINNING COMMUNITY ORGANIZATION, INC., A TENNESSEE NOT-FOR-PROFIT CORPORATION, FOR NOMINAL CONSIDERATION; AND TO AUTHORIZE THE MAYOR TO EXECUTE A QUIT CLAIM DEED CONVEYING SAID PARCEL TO A NEW BEGINNING COMMUNITY ORGANIZATION, INC., A TENNESSEE NOT-FOR-PROFIT CORPORATION, FOR ITS USE IN DEVELOPING LOW INCOME SINGLE FAMILY HOUSING THAT WILL BE OWNER OCCUPIED.

SPONSORED BY: COMMISSIONER GEORGE S. FLINN, JR.

WHEREAS, In 1991, Shelby County acquired an unimproved parcel of Delinquent Tax Property, 6,181 square feet (0.142 acres), more or less, in size, located at 2245 Howell Avenue, in Tax Sale No. 83.1, and further identified as Tax Parcel Number 04203700001770; and

WHEREAS, A New Beginning Community Organization, Inc., a Tennessee not-for-profit corporation, in good standing with the Federal and State Governments and Memphis Housing Community Development, has requested Shelby County to convey this unimproved parcel of Delinquent Tax Property to it, for nominal consideration, for its use in developing low income single family housing that will be owner occupied, which parcel being more particularly described in the attached Quit Claim Deed, which is hereby incorporated by reference; and

WHEREAS, T.C.A. §67-5-2509(d)(2) allows Shelby County to transfer real property acquired in a tax sale to a not-for-profit organization in good standing with the Federal and State Governments and Memphis Housing Community Development, for nominal consideration, for the purpose of development of single family housing that will be owner occupied; and

WHEREAS, It is deemed to be in the best interest of Shelby County to convey said unimproved parcel of Delinquent Tax Property 6,181 square feet (0.142 acres), more or less, in size, to A New Beginning Community Organization, Inc., a Tennessee not-for-profit corporation, for nominal consideration, to enable A New Beginning Community Organization, Inc., a Tennessee not-for-profit corporation, to develop thereon low income single family housing that will be owner occupied.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the aforementioned Delinquent Tax Property conveyance to A New Beginning Community Organization, Inc., a

Tennessee not-for-profit corporation, for nominal consideration, be and the same is hereby approved; and that the Mayor be and he is authorized to execute the attached Quit Claim Deed Document affecting the same.

A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED _____

SUMMARY SHEET

I. Description of Item

A RESOLUTION APPROVING THE CONVEYANCE OF AN UNIMPROVED PARCEL OF COUNTY OWNED DELINQUENT TAX PROPERTY, 6,181 SQUARE FEET (0.142 ACRES), MORE OR LESS, IN SIZE, LOCATED AT 2245 HOWELL AVENUE, TO A NEW BEGINNING COMMUNITY ORGANIZATION, INC., A TENNESSEE NOT-FOR-PROFIT CORPORATION, FOR NOMINAL CONSIDERATION; AND TO AUTHORIZE THE MAYOR TO EXECUTE A QUIT CLAIM DEED CONVEYING SAID PARCEL TO A NEW BEGINNING COMMUNITY ORGANIZATION, INC., A TENNESSEE NOT-FOR-PROFIT CORPORATION, FOR ITS USE IN DEVELOPING LOW INCOME SINGLE FAMILY HOUSING THAT WILL BE OWNER OCCUPIED.

II. Source and Amount of Funding

No county funds required.

III. Contract Items

Quit Claim Deed

IV. Additional Information Relevant to Approval of this Item

This is an unimproved parcel of County owned Delinquent Tax Property, approximately 0.142 acres in size, located at 2245 Howell Avenue, and is further identified as Tax Parcel Number 04203700001770. It was acquired by the County in Tax Sale No. 83.1 in 1991 for outstanding taxes, penalties and interest in the amount of \$4,991.00. A New Beginning Community Organization, Inc., a Tennessee not-for-profit corporation, in good standing with the Federal and State Governments and Memphis Housing Community Development, has requested Shelby County to convey this unimproved parcel of Delinquent Tax Property to it, for nominal consideration, for its use in developing low income single family housing that will be owner occupied. It serves the North Memphis area with affordable housing. It has received considerable in-kind resources and is supported by the Springdale Business Association and Rhodes College as an example of community revitalization. It supports job creation and economic development for businesses in the area. The County may transfer real property acquired in a tax sale to a not-for-profit organization in good standing with the Federal and State Governments and Memphis Housing Community Development, for nominal consideration, for the purpose of development of single family housing that will be owner occupied. Therefore, it is hereby recommended by the Administration that this Delinquent Tax Property conveyance be approved.

QUIT CLAIM DEED

THIS INDENTURE, made and entered into this _____ day of _____, 2008 by and between the **County of Shelby, a Political Subdivision of the State of Tennessee**, (hereinafter referred to as "**Grantor**"), and **A New Beginning Community Organization, Inc., a Tennessee not-for-profit corporation**, (hereinafter referred to as "**Grantee**").

WITNESSETH: That for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, **Grantor** has bargained and sold and does hereby bargain, sell, remise, release, convey and forever quitclaim unto **Grantee** all of its right, title and interest in and to the following described real estate, situated and being in the City of Memphis, County of Shelby, State of Tennessee, to-wit:

A parcel of land acquired by the Commissioners of Shelby County as described in Chancery Court Cause T.R.D. No. 9420-1, Exhibit #04827, County Tax Sale #83.1 and being more particularly described as follows:

Lot 1 and the north ten (10) feet of Lot 2 of the Shirley Subdivision, as shown on Plat of Record in Plat Book 25, Page 2 in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property described in Warranty Deed of Record in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument No. BA 6783.

Containing 6,181 square feet (0.142 acres), more or less.

Tax Parcel No. 04203700001770

Grantor makes no claim or warranty relative to the environmental condition of the hereinabove described property being conveyed. The conveyance of the above described property is made without warranties of any kind, whatsoever.

IN WITNESS WHEREOF, **Grantor** has caused this instrument to be executed by the affixing thereto of the signature of the Mayor of the County of Shelby, the said Mayor being authorized so to do

pursuant to Section 4.03-18 of Chapter 260 of the Private Acts of 1974 in accordance with the approval of the Shelby County Board of Commissioners, on the ____ day of _____, 2008 in Resolution #_____.

Grantor: SHELBY COUNTY, TENNESSEE

By: _____
A C Wharton, Jr., County Mayor

By: _____
Paul Matilla, Trustee

Approved as to Form:

By: _____
Assistant County Attorney/
Contract Administrator

Other County Approvals:

By: _____
County Real Estate Manager

By: _____
Land Bank Administrator

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **A C WHARTON, JR., Mayor of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Mayor of the County of Shelby**, the within named bargainor, one of the counties of the State of Tennessee, and that he as such **Mayor** of said county, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Shelby County by himself as such **Mayor** of said County of Shelby.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this ____ day of _____, 2008.

Notary Public

MY COMMISSION EXPIRES:

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **PAUL MATILLA, Trustee of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Trustee of the County of Shelby**, and that he as such **Trustee**, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this ____ day of _____, 2008.

Notary Public

MY COMMISSION EXPIRES:

(FOR RECORDING DATA ONLY)

Property Address:

**2245 Howell Avenue
(Vacant Land)**

Tax Parcel No.:

04203700001770

Mail Tax Bills to: (Person or Agency
responsible for payment of taxes)

Exempt – Tennessee not-for-profit corporation

Owner's Name and Address:

**A New Beginning Community Organization, Inc.
2212 Jackson Avenue
Memphis, TN 38112**

This instrument prepared by:

**Shelby County Government
584 Adams Avenue
Memphis, TN 38103
Phone No. (901) 545-3498**

I, or we hereby swear or
affirm that, to the best
of affiant's knowledge,
information, and belief,
the actual consideration
for this transfer is

\$ _____,

Affiant

Subscribed and sworn to
before me this ____ day of
_____, 2008

Notary Public

My Commission expires:

2245 Howell Avenue
Tax Parcel No. 04203700001770



2245 Howell Avenue
Tax Parcel No. 04203700001770

